

# **INFORMATION SHEET**

## **DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Saint Paul District

**FILE NUMBER:** MVP-2007-0068-TMV

**PROJECT MANAGER:** Todd Vesperman

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office? Y ☒ N ☐ Date: 03/08/2007  
At the project site? Y ☐ N ☐ Date:

**PROJECT LOCATION INFORMATION:**

State: Minnesota

County: Redwood

Center coordinates of site by latitude & longitude: 44.3448149130/-95.508649560

Approximate size of site/property (including uplands) in acres: 40

Name of waterway or watershed: Cottonwood Watershed

Type of Aquatic Resource <sup>1</sup> :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands			1=3.3ac						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup>	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Preliminary ☐ Or Approved: ☒

**FILE NUMBER: MVP- 2007-0068-TMV**

**ADDITIONAL INFORMATION SUPPORTING njd** (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The wetland being reviewed is approximately 3.3 acres in size and has drain tile installed within its boundaries. The wetland does not appear to be effectively drained and is considered a farmed wetland. The wetland is currently used as pasture and grass forage is harvested periodically. The wetland is approximately 500 feet north of Judicial Ditch #12, but is at a slightly higher elevation and is separated by a gently sloping upland (non-wetland) area. The wetland has no definable inlets or outlets, and does not have a continuous surface connection with other waters of the United States. The subject wetland occurs entirely within Redwood County, Minnesota; has not been used for recreation; and has no reasonable connection to interstate commerce.**

**The following information was used in making the no jurisdiction determination; USGS topographic map, FSA 2003 aerial photograph, the National Wetland Inventory, the 1985 Redwood County Soil Survey, and information provided by the NRCS-Area 5.**